

MDL 1570 PLAINTIFFS' EXECUTIVE COMMITTEES

In re: Terrorist Attacks on September 11, 2001 (S.D.N.Y.)

Plaintiffs' Executive Committee for Personal Injury and Death Claims	Plaintiffs' Executive Committee for Commercial Claims
Ronald L. Motley, <i>Co-Chair</i> (1944-2013) MOTLEY RICE LLC James P. Kreindler, <i>Co-Chair</i> KREINDLER & KREINDLER LLP	Elliot R. Feldman, <i>Co-Chair</i> Sean Carter, <i>Co-Chair</i> COZEN O'CONNOR
Andrew J. Maloney III, <i>Co-Liaison Counsel</i> KREINDLER & KREINDLER LLP Paul J. Hanly, Jr., <i>Co-Liaison Counsel</i> SIMMONS HANLY CONROY LLP	J. Scott Tarbutton, <i>Liaison Counsel</i> COZEN O'CONNOR

VIA ECF and FACSIMILE

April 27, 2016

The Honorable Frank Maas
United States District Court for the S.D.N.Y.
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 740
New York, NY 10007-1312

Re: In Re: Terrorist Attacks on September 11, 2001, 03 MDL 1570 (GBD) (FM)

Dear Judge Maas:

I am writing in response to Mr. Lewis's letter of April 26, 2016, requesting imposition of a May 6 deadline for mutual exchange of discovery (ECF No. 3262). Though plaintiffs do not agree with much of the rhetoric and characterizations in Mr. Lewis's letter, we are writing simply to respond to the request and will not address the rest.

Due to an injury I suffered on Sunday, I have been out of my office this week and anticipate being out of the office for some (as yet) undetermined period of time following surgery scheduled for tomorrow. Accordingly, I would request that the Court not impose the May 6 deadline. I will know better after tomorrow what kind of deadline I could commit to, but if the Court is inclined to set a tentative deadline, I hope that I would be able to meet a May 13 deadline.

The preference, however, would be for the parties to await Your Honor's consideration of the "particularized showing" that plaintiffs provided Your Honor on Friday April 22, 2016. As plaintiffs have expressed on a number of occasions, the time and attention the defendants have insisted be given to this issue has substantially outweighed the issue itself. And, while plaintiffs would not welcome the result, at least one outcome of Your Honor's review of the "particularized showing" might obviate the need for the additional discovery exchange. Accordingly, plaintiffs request that we await the outcome of Your Honor's review before scheduling a date for the additional exchange.

Respectfully,

Robert T. Haefe
ROBERT T. HAEFELE
PLAINTIFFS' EXECUTIVE COMMITTEES

cc: The Honorable George B. Daniels (via facsimile)
All counsel (via ECF)